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EXAMINER	
SKED, MATTHEW J	
ART UNIT	**PAPER NUMBER**
2655	

DATE MAILED: 10/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/967,004	KANEKO ET AL.	
	Examiner	Art Unit	
	Matthew J Sked	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 June 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-57* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-57* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Receipt is acknowledged of papers submitted on 2/12/02 under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

2. Examiner acknowledges the error on the PTO-1449 and has fully initialed the form.

3. Applicant's arguments, in view of the amendments, with respect to claims 1, 2, 10, and 17-20 have been considered but are moot in view of the new ground(s) of rejection. The amendments more clearly claim the applicant's invention as a text to speech and animation system that displays the text strings spoken by the synthetic voice in a different text display form in order to distinguish which text is being spoken by which speaker image.

4. Applicant's arguments, in view of the amendments, with respect to claims 21, 26, 31, 36, 41 and 42 have been considered but are moot in view of the new ground(s) of rejection. The amendments more clearly claim the applicant's invention as an information presentation system that divides distributed information into a synthetic voice portion and a display portion and controlling the position in which the animation image is displayed based upon the contents of the display portion.

5. Applicant's arguments, in view of the amendments, with respect to claims 43, 48 and 53 have been considered but are moot in view of the new ground(s) of rejection. It is noted that the applicant did not traverse the Official Notice taken in the previous Office Action and therefore it is taken to be admitted prior art (see MPEP 2144.03).

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 43, 48 and 53 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims recite the limitation "continuing to present a specified genre" and "presentation of the specified genre". From the claim it is clear the presentation means presents both a synthetic voice and an animation image corresponding to the genre. Therefore, it is unclear if the limitation of presenting "a specified genre" is intended to encompass the synthetic voice or another type of presentation such as text. For the purposes of examination it will be assumed the "specified genre" refers to the "synthetic voice based on information of a specified genre".

8. Also, the limitation "and continuing to present a specified genre and animation images corresponding to the next genre after a presentation of the specified genre and animation images corresponding to the genre is completed" is unclear. The limitation seems to be claiming that after the synthetic voice and animation image corresponding to the genre are presented either the animation image is switched while the voice is not or both the animation image and synthetic voice are switched. For the purposes of Examination it will be assumed that both the animation image and the synthetic voice are switched after the presentation of a current genre is completed.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 1-3, 6, 7, 9-11, 13, 14, 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grayson in view of Taylor (U.S. Pat. 6,424,935).

As per claims 1, 10, and 17-20, Grayson teaches an information presentation system, apparatus, method, and computer readable medium comprising:

a sending apparatus sending send data including text information, and a receiving apparatus is connected to said sending apparatus in being capable of communication and receives said send data (host computer sends a stream of text and other data to the participant computer, col. 4, lines 14-16),

wherein said receiving apparatus comprises:

voice outputting means for carrying out voice synthesis based on text information included in received send data, and outputting obtained synthetic voice (text-to-speech processor, col. 4, lines 42-43);

first displaying means for displaying speaker images imitating speakers of said synthetic voice (text generates lip positions, col. 4, lines 16-20); and

second displaying means for displaying a text string to be spoken by said synthetic voice in a text display form corresponding to each of said speaker images (text section where the text display form is the same for all characters, col. 8, lines 52-53).

Grayson does not teach the second display means displays the text string in a different text display form, which enables to distinguish each of said speaker images, corresponding to each of said speaker images.

Taylor teaches a system that displays text in different colors or fonts for different speakers (col. 3, line 66 to col. 4, line 14).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson to use a different display form for each speaker as taught by Taylor because this would allow the text for each speaker to be readily distinguished (col. 3, line 66 to col. 4, line 14).

11. As per claims 2 and 11, Grayson teaches wherein said first displaying means displays a speaker image selected from said plurality of speaker images (context defines characters to display, col. 4, lines 5-13).

Grayson does not teach a first retaining means for retaining display correspondence information showing a correspondence between each of a plurality of speaker images and the display form of a text string and said second displaying means obtains a display form corresponding to said selected speaker image from said display correspondence information to display said text string in said display form.

Taylor teaches a first retaining means for retaining display correspondence information showing a correspondence between each of a plurality of speaker images

and the display form of a text string and said second displaying means obtains a display form corresponding to said selected speaker image from said display correspondence information to display said text string in said display form (sets flags to identify which text corresponds to which user and then sets colors or fonts accordingly, hence retaining the correspondence, col. 9, lines 50-65).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson for a first retaining means for retaining display correspondence information showing a correspondence between each of a plurality of speaker images and the display form of a text string and said second displaying means obtains a display form corresponding to said selected speaker image from said display correspondence information to display said text string in said display form as taught by Taylor because it would allow the view of the text change along with the animated character hence making the system more enjoyable to the user.

12. As per claim 3, Grayson teaches the display correspondence information is sent from said sending apparatus to said receiving apparatus (all data relating to text, context, graphics and speech commands are sent in a stream and would necessarily carry the correspondence information from claim 2).

13. As per claims 6 and 13, Grayson does not teach the text display form corresponding to each of said speaker images in said second displaying means is at least any of the letter color, size and font.

Taylor teaches the text display form corresponding to each of said speaker images in said second displaying means is the color (color or fonts, col. 3, line 66 to col. 4, line 14).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson so that the text display form corresponding to each of said speaker images in said second displaying means is the color as taught by Taylor because it would allow interface to be more lively hence making interaction more enjoyable.

14. As per claims 7 and 14, Grayson teaches the second displaying means displays said text string with a predetermined positional relation with the position in which said speaker image is displayed (avatar is viewed in a defined place on border and the text is viewed in the center of the interface, Fig. 7).

15. As per claims 9 and 16, Grayson teaches the speaker image is an animation imitating a speaker (animated characters, col. 3, lines 16-23).

16. Claims 4, 5, 8, 12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grayson in view of Taylor and in further view of Hikawa (U.S. Pat. 6,424,944), cited by applicant.

As per claims 4 and 12, Grayson teaches:

second retaining means for retaining context correspondence information showing a correspondence between said plurality of speaker images and the context

(context information would be saved on site in order to send it to the participant, col. 4, lines 5-7);

selecting means for identifying the context of text information included in said send data in said receiving apparatus (state also sends a stream of text with context information, col. 4, lines 14-16); and

selecting a speaker image corresponding to the identified context based on said context correspondence information, wherein said first displaying means displays a speaker image selected by said selecting means (context information defines characters in presentation, col. 4, lines 9-13).

Grayson and Taylor do not teach nor specifically point out performing these operations for genres.

Hikawa teaches the user selecting a genre of background music to be reproduced and selecting an image based upon this genre, col. 9, lines 4-8 and 41-44).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson and Taylor to teach using genre information as taught by Hikawa because it would allow the user to select different categories within the current application hence facilitating navigation for the user.

17. As per claim 5, Grayson teaches that the context correspondence information is sent from said sending apparatus to said receiving apparatus (host computer sends context information to participant computer, col. 4, lines 5-7).

18. As per claims 8 and 15, Grayson and Taylor do not teach the text information included in said send data includes headline text and text of spoken contents, and said

information presentation system further comprises third displaying means for displaying said headline text distinguishable from the text display by said second display means.

Hikawa teaches the text information included in said send data includes headline text and text of spoken contents (title and whole contents are displayed, col. 9, lines 21-24), and said information presentation system further comprises third displaying means for displaying said headline text distinguishable from the text display by said second display means (name display field, Fig. 5, element 31a).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson and Taylor to have the text information included in said send data include headline text and text of spoken contents, and said information presentation system further comprising third displaying means for displaying said headline text distinguishable from the text display by said second display means as taught by Hikawa because it would give the user an easily visible abbreviated information about the text being read hence facilitating use.

19. Claims 21, 22, 26, 27, 31, 32, 36, 37, 41, 42 and 54-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grayson in view of Ando et al. (U.S. Pat. 6,549,887).

As per claims 21, 26, 31, 36, 41 and 42, Grayson teaches an information presentation system, apparatus, method, and computer readable medium where an information distribution terminal and an information presentation terminal presenting

information distributed from the information distribution terminal are connected via a network (host and computers over network, Fig. 1),

wherein said information distribution terminal comprises:

distributing means for distributing information including letter information and image information (stream of text and graphics, col. 4, lines 14-16), and

said information presentation terminal comprises:

editing means for dividing information distributed by said distributing means into a synthetic voice portion read out by synthetic voice in synchronization with animation images and a display portion displayed as letter information and image information (the stream of data contains commands in brackets and text between quotes, the commands would be executed by the animation and the text would be synthesized and displayed, col. 4, lines 21-35); and

presenting means for controlling the position in which said animation image is displayed and presenting said synthetic voice portion and said display portion (commands move the position of the animation hence controlling its position, col. 4, lines 21-28).

Grayson does not teach an obtaining means for obtaining information relating to contents of said display portion by said editing means and controlling the position the animation image is displayed based on information obtained by said obtaining means.

Ando teaches a system for converting text to sign language animation where each word would correspond to a different animated position the character would take

hence the text controls the position the animation image is displayed (col. 1, line 66 to col. 2, line 29).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson to obtain obtaining information relating to contents of said display portion by said editing means and control the position the animation image is displayed based on information obtained by said obtaining means as taught by Ando because this would enable the position of the character to be changed without having to distribute a command hence simplifying the system.

20. As per claims 22, 27, 32, and 37, Grayson teaches:

adding means for adding a flag for controlling the position in which said animation image is displayed to information corresponding to said display portion (stream includes move instructions so when compiled the system would inherently set flags to indicate the move instruction was invoked, col. 4, lines 21-28), and

said presenting means controls the position in which said animation image is displayed, based on the flag added to the information corresponding to said display portion (character moved based upon the move instruction, col. 4, lines 29-35).

21. As per claims 54-57, Grayson does not teach a determination means for determining contents of the letter information and/or the image information and said obtaining means obtains contents determined by said determining means as the information relating to contents of the display portion.

Ando teaches controlling the animation based upon the content of the text hence determining the meaning of words from the text (col. 1, line 66 to col. 2, line 29).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson to include a determination means for determining contents of the letter information and/or the image information and said obtaining means obtains contents determined by said determining means as the information relating to contents of the display portion as taught by Ando because this would enable the position of the character to be changed without having to distribute a command hence simplifying the system.

22. Claims 23-25, 28-30. 33-35, and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grayson in view of Ando and in further view of Chang et al. (U.S. Pat. 6,584,479).

As per claims 23, 28, 33, and 38, Grayson and Ando do not teach that the flag includes any one of the importance of said display portion, the need for hiding the same, important points and points needing to be hidden, or a combination thereof.

Chang teaches that the flag includes the importance of the display portion (primary body's importance is less than supporting data so that it is modified to allow better viewing of the supporting data, the system would necessarily have a flag to indicate which body has a higher importance, col. 7, lines 19-29).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson and Ando so that the flag includes the importance of the display portion as taught by Chang because it would notify to the

computer which body on the screen should be displayed when there is not enough space on the screen to display both completely.

23. As per claims 24, 29, 34, and 39, Grayson and Ando do not teach the presenting means controls the position in which said animation image is displayed so that the position does not overlap a part or all of the display position of said display portion, based on the flag added to the information corresponding to said display portion.

Chang teaches the presenting means controls the position in which said animation image is displayed so that the position does not overlap a part or all of the display position of said display portion, based on the flag added to the information corresponding to said display portion (primary body is moved and the supporting body takes its place, the system would necessarily have a flag to indicate which body has a higher importance, col. 7, lines 41-42)

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson and Ando so that presenting means controls the position in which said animation image is displayed so that the position does not overlap a part or all of the display position of said display portion, based on the flag added to the information corresponding to said display portion as taught by Chang because it would allow both bodies to be displayed on the screen at once giving a better layout for the user.

24. As per claims 25, 30, 35, and 40, Grayson and Ando do not teach the presenting means controls the position in which said animation image is displayed so that the

position overlaps a part or all of the display position of said display portion, based on the flag added to the information corresponding to said display portion.

Chang teaches the presenting means controls the position in which said animation image is displayed so that the position overlaps a part or all of the display position of said display portion, based on the flag added to the information corresponding to said display portion (makes the supporting data more prominent in shade so that the bodies can overlap, the system would necessarily have a flag to indicate which body has a higher importance, col. 7, lines 45-50).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson and Ando so that the presenting means controls the position in which said animation image is displayed so that the position overlaps a part or all of the display position of said display portion, based on the flag added to the information corresponding to said display portion as taught by Chang because this allows gives the user a full display of the body that is of more importance hence giving a better layout for the user.

25. Claims 43-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grayson in view of Hikawa, Zhou et al. (EP 1083536) and Applicant's admitted prior art, cited by applicant.

As per claims 43, 48, and 53, Grayson teaches an information presentation apparatus, method and computer readable memory for presenting information in synchronization with animation images, comprising:

retaining means for retaining information for each of two or more types of contexts, and retaining animation images with animation images corresponding to each of said two or more types of contexts (multiple contexts that define characters, col. 4, lines 9-13);

first presenting means for presenting synthetic voice based on information of a specified context and animation images corresponding to the context (stream also text that will be converted to speech, col. 4, lines 14-20 and 42-43) and presenting a synthetic voice and animation image corresponding to the next context after presentation of the synthetic voice and animation image corresponding to the context is completed (after animation and synthesis of the voice for the current command the next command is executed, col. 4, lines 21-41); and

using an image to present information showing the switching of context (by the system displaying a new character it is informing the user that a switching of the context has occurred, col. 4, lines 9-13).

Grayson does not teach nor specifically point out performing these operations for genres.

Hikawa teaches the user selecting a genre of background music to be reproduced and selecting an image based upon this genre, col. 9, lines 4-8 and 41-44).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson to teach using genre information as taught by Hikawa because it would allow the user to select different categories within the current application hence facilitating navigation for the user.

Grayson and Hikawa do not teach a voice inputting means for inputting user's instructions by voice.

Zhou teaches a voice inputting means for inputting user's instructions by voice (col. 13, line 58 and col. 14, line 1).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson and Hikawa to have a voice inputting means for inputting user's instructions by voice as taught by Zhou because it would make the system more flexible by allowing the user to enter information if many ways.

Grayson, Hikawa, and Zhou do not teach a second presenting means for using animation images corresponding to each of the genres before and after switching of said image to present information showing the switching of the genre, based on said user's instructions by voice inputted by said voice inputting means.

Applicant's admitted prior art teaches that displaying more than one animation image at the same time is common in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to have second presenting means for using animation images corresponding to each of the genres before and after switching of said image to present information showing the switching of the genre, based on said user's instructions by voice inputted by said voice inputting means because it would better demonstrate the transfer from one genre to the other hence making interaction easier for the user.

26. As per claims 44 and 49, Grayson does not teach the second presenting means presents information showing the switching of said genre by voice.

Zhou teaches using audible prompts (col. 11, lines 52-55).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson to use outputted voice taught by Zhou to present information showing the switching because it would allow the system to notify the user without having to waste space on the screen to display this information.

27. As per claims 45 and 50, Grayson teaches the retaining means further retains data for generating information showing the switching of said genre, for each of said two or more types of genres (switches between characters hence would retain the data of the next character which would show a switch, col. 4, lines 9-13).

28. As per claims 46 and 51, Grayson and Hikawa do not teach recognizing means for recognizing said user's instructions by voice, and that said second presenting means uses animation images corresponding to each of the genres before and after switching of said genre to present information showing the switching of the genre, based on the result of recognition by said recognizing means.

Zhou teaches a recognizing means for recognizing said user's instructions by voice (selecting a word through a voice command would necessarily include recognition of the voice command, col. 13, line 58 and col. 14, line 1).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson and Hikawa to have a recognizing means for recognizing said user's instructions by voice and use this recognized command as taught by Zhou to switch the genres because it would give a handicapped user the

ability to interact and change genres through a voice input while giving indications that the changing of genres has occurred hence facilitating use.

29. As per claims 47 and 52, Grayson teaches said information includes information distributed via a network (host and computers over network, Fig. 1).

Conclusion

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nagisa et al. (U.S. Pat. 6,434,525) teaches an animation system in response to a dialogue with the user.

31. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Sked whose telephone number is (571) 272-7627. The examiner can normally be reached on Mon-Fri (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MS
10/20/05

W. R. YOUNG
PRIMARY EXAMINER